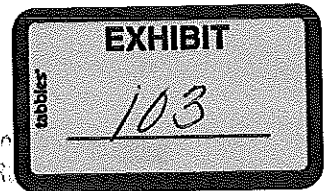




Colchester Business Association  
PO Box 453, Colchester, CT 06415

BUREAU OF WATER PROTECTION  
OFFICE OF THE CURATOR



JAN 28 2010

21 January 2010

Mr. Paul E. Stacey  
Department of Environmental Protection  
Bureau of Water Protection and Land Reuse, Planning & Standards Division  
79 Elm Street, Hartford, Connecticut, 06106-5127

Re: Proposed Stream Flow Regulations

Dear Mr. Stacey:

I am writing on behalf of the Colchester Business Association (CBA) Board of Directors, in reference to the proposed Stream Flow Standards and Regulations (Public Act 05-142) that are currently before your agency. The CBA represents nearly 200 businesses serving the Colchester area with a goal of promoting and encouraging businesses to locate in Colchester. Our Association provides support and assistance to local businesses and serves as a liaison between the business community and the local municipal government, its boards, agencies, and commissions. As such, State regulations that affect the way our municipal government operates has a direct impact on our ability to fulfill our mission. As an Association, we have carefully reviewed the proposed regulations and spoken with our municipal leaders with regard to the impact on Colchester. Based on this review and discussion, we urge rejection based on the following concerns:

1. **Sufficient Water Supplies** – Colchester is not a water-rich community. We are very concerned the draft regulations may undermine the Town's ability to provide water service to the existing residents and businesses and may limit future growth. The Department of Health placed the Town of Colchester water department under a moratorium against additional service connections in December 1988 that was not lifted until November 1991. During that time, the Town missed out on an economic boom that raced through the State. The loss of that business growth has impacted Colchester ever since. Any regulation that limits a community's ability to supply a resource necessary for economic growth puts that community at an unfair disadvantage compared to other neighboring communities and states in general. At a time when the State is suffering through one of its worst economic downturns in history, it seems unconscionable that it is also enacting regulations that put economic development at further risk.

2. **Public Health & Safety Needs** – It has been clearly explained to us the intent of the proposed regulation is to provide an appropriate balance between protecting our environment and providing for the public health, safety and economic development needs of our community. As a business association, we are well aware of the need to balance many facets of our business operations and the difficulties in doing so. Therefore, we recognize the enormity of the challenge to balance the needs of the environment with the needs of human society. We also recognize just how critical a task it is, particularly given the other challenges facing the state and towns.

3. Unfunded Mandate – Should the regulations as proposed be approved, and should the Town be impacted as it has speculated, there will be significant additional cost to provide the same quantity of water being provided today. This additional cost equates to an unfunded mandate and will immediately result in higher water rates. Should the Town not be able to supply the additional water using its own resources, additional supplies will have to be developed elsewhere. Based on discussions with neighboring communities and regional planning agencies, these regulations will impact communities well beyond the immediate Colchester area and therefore limit Colchester's ability to obtain additional water supplies from other providers.

4. Unknown/Unintended Consequences – Our town leaders have indicated it is truly difficult to assess the full impact of the regulations on the Town of Colchester because of the vague classification standards included in the regulations. They also expressed concern that the appeal process could result in unintended consequences because changes up or down in classification could occur after the initial designation.

The Colchester Business Association, as well as our municipal leaders, have expressed concern over the proposed regulations. We respectfully ask that you give our position serious consideration and reject the regulations as they are currently drafted. We would be pleased to meet with the DEP to provide more information on our concerns about the impact of these regulations on the business community. We hope the DEP will take the time and fully assess the impact of the regulations on our public water supplies and on the state's economic recovery.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Faski". The signature is fluid and cursive, with a large initial "J" and "F".

Jack Faski, President  
Colchester Business Association

Cc:  
Governor M. Jodi Rell  
State Representative Linda Orange  
Senator Eileen Daily